

REMARKS

Applicant has amended the claims 1 through 17. Applicant respectfully submits that these amendment to the claims are supported by the application as originally filed and do not contain any new matter (see page 3, third full paragraph, etc.). Still further, Applicant respectfully submits that these amendments to the claims would not be properly rejectable based upon the art of record for the reasons set forth below.

The Examiner has rejected the claims 1 through 9 and 11 through 16 under 35 USC 103, as being obvious over Stein et al. in view of Bard. Applicant has carefully reviewed Stein and respectfully submits that Stein is directed to a system to be utilized by brokers and client managers and not to general consumers such as individual clients. In contrast thereto, Applicant's invention is directed towards individual clients as is clear from the preamble of Applicant's claims. In addition, Applicant respectfully submits that the preamble of Applicant's claims sets the environment in which Applicant's invention operates and is necessary to give life and meaning to the claim (see Corning Glass Works v. Sumitomo Electric U.S.A., Inc. 9USPQ2d 1962 (CASC 1989)).

With the above in mind, Applicant has carefully reviewed Stein and respectfully submits that the Examiner's assertion contained in paragraph 13.a through e. particularly only are relevant as to brokers and client managers and not to individual consumers or clients such as Applicant's invention.

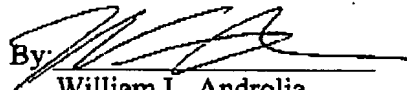
Still further, Applicant would like to reiterate that while Bard mentions a "program", Applicant's analysis indicates that this is not a software program and merely describes a process offered by particular companies to assist clients in purchasing and accumulating precious metals and does not disclose or suggest the step (d) of Applicant's claims.

Still further, Applicant's review of A-Mark indicates that it discloses the kinds of services which would be provided by precious metal and coin dealers and the "VIDEO MELT" is not an image of the merchandise stored in protective custody which is displayed by the client server in accordance with the types and weight of the merchandise and is instead a video tape provided to the customer of the complete process for verification of the results.

In view of the above, it is respectfully requested that this Amendment as part of this Request for Continued Examination be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

Respectfully submitted,

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